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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,891	11/26/2003	Melissa D. Boyd	10970792-4	1137
7590	08/11/2005			EXAMINER
HEWLETT-PACKARD COMPANY Intellectual Property Administration P. O. Box 272400 Fort Collins, CO 80527-2400			HUFFMAN, JULIAN D	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

JZ

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/723,891	BOYD ET AL
	Examiner Julian D. Huffman	Art Unit 2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 June 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 20-22, 26-31, 35-38, 41-43 and 45 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 20-22, 26-31 and 35-37 is/are allowed.  
 6) Claim(s) 38, 42, 43 and 45 is/are rejected.  
 7) Claim(s) 41 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 May 2005 has been entered.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 38, 42, 43 and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Cowger et al. (U.S. 5,565,900).

Cowger et al. discloses :

With regards to claim 38, a method of forming a fluid ejection assembly, the method comprising :

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forming a platform (fig. 4) with a fluid inlet (fig. 4, element 32), a fluid outlet (34), a first plurality of fluid feed slots (figs. 4 and 6, element 72), a second plurality of fluid feed slots (74), and a fluid manifold therein (101, column 2, lines 20-32), including fluidically coupling each of the first plurality of fluid feed slots (72) and the second plurality of fluid feed slots (74) with the fluid inlet and the fluid outlet via the fluid manifold (manifold 101 is located between the fluid feed slots 72, 74 and the fluid inlet 32 and outlet 34 and couples the two together); and

mounting a plurality of fluid ejection devices (50) on the platform, including fluidically coupling each of the fluid ejection devices with one of at least one of the first plurality of fluid feed slots and at least one of the second plurality of fluid feed slots (the nozzles of the ejection device 50 are connected to the feed slots so that ink is supplied for ejection),

wherein fluidically coupling each of the first plurality of fluid feed slots (72) and the second plurality of fluid feed slots (74) with the fluid inlet and the fluid outlet includes defining a first plurality of fluid flow paths (81, 83, 84, 91 or 94) each between the fluid inlet and one of the first plurality of fluid feed slots, a second plurality of fluid flow paths (81, 83, 84, 91 or 92) each between one of the second plurality of fluid feed slots and the fluid outlet, and a third plurality of fluid feed paths each between one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots (81, 83, 84 or 91).

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With regards to claim 42, fluidically coupling each of the fluid ejection devices with at least one of the first plurality of fluid feed slots and the second plurality of fluid feed slots includes fluidically coupling a fluid refill slot of each of the fluid ejection devices with at least one of the first plurality of fluid feed slots and the second plurality of fluid feed slots (refill slots connect the nozzles of the printhead to the feed slots 72 and 74).

With regards to claim 43, a method of circulating fluid between a reservoir and a plurality of fluid ejection devices each mounted on a platform, the method comprising:

- communicating a fluid inlet (32) and a fluid outlet (34) of the platform with the reservoir (column 2, lines 28-29);
- supplying a fluid manifold (101, column 2, lines 30-32) of the platform with fluid from the reservoir (column 2, lines 28-29) via the fluid inlet;
- distributing the fluid to a first plurality of fluid feed slots (72) and a second plurality of fluid feed slots (74) of the platform via the fluid manifold (using via 81, ink is supplied to the feed slots from the manifold, column 4, lines 14-16);
- supplying a fluid refill slot of each of the fluid ejection devices with a portion of the fluid via one of at least one of the first plurality of fluid feed slots and at least one of the second plurality of fluid feed slots (feed slots 72 and 74 supply ink to nozzles of printhead); and
- returning a portion of the fluid to the reservoir via the fluid manifold and the fluid outlet (column 2, lines 32-35),

wherein distributing, supplying, and returning the fluid includes distributing the fluid from the fluid inlet (32) to each of the first plurality of fluid feed slots (72) via a first plurality of fluid flow paths (81, 83, 84 and 91), from each of the second plurality of fluid feed slots (74) to the fluid outlet (34) via a second plurality of fluid flow paths (feed slots 74 and fluid outlet 34 are coupled via duct 92, outlet manifold 103, and vias 84 and 91), and between each of the first plurality of fluid feed slots and the second plurality of fluid feed slots via a third plurality of fluid flow paths (first and second feed slots are coupled by pathways 84 and 91 as seen in fig. 6).

With regards to claim 45, that supplying the fluid refill slot of each of the fluid ejection devices includes feeding a fluid chamber of each of the fluid ejection devices with a portion of the fluid (fluid is fed into firing chamber for ejection through refill slot).

#### ***Allowable Subject Matter***

4. Claims 20-22, 26-31, 35-37 are allowed.

Claim 41 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

5. Applicant's argument that Cowger et al. does not teach the limitations of claims 38 and 43 is not persuasive. Cowger teaches these limitations as discussed on pages 2-5 of this detailed action. Further, applicant provides no explanation as to why Cowger does not teach the limitations of these claims.

### Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 9:30a.m.-6:00p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JH  
29 July 2005

K. FEGGINS 8/6/05  
PRIMARY EXAMINER